UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/908,697	07/20/2001	Kazutaka Matsueda	35.G1362 D	1944

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EXAMINER
GARCIA, GABRIEL I

ART UNIT	PAPER NUMBER
2625	

DATE MAILED: 05/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _21 February 2006_.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final. ·

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _23-26 and 28-34_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _23-26 and 28-34_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☒ Certified copies of the priority documents have been received in Application No. _08/352,883_.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

Part III   DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless -
>
>> (e) the invention was described in a patent granted on an application for patent by another filed in
>> the United States before the invention thereof by the applicant for patent, or on an international
>> application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section
>> 371© of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act
of 1999 (AIPA) do not apply to the examination of this application as the application being
examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35
U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the
amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on
sale in this country, more than one year prior to the date of application for patent in the United States.

2.   Claims 23-26 and 28-34 are rejected under 35 U.S.C. 102(e) as being anticipated by

Hirosawa et al. (5,557,736).

With regard to claim 23, Hirosawa et al. teaches a data processing apparatus (1) connectable to

a LAN (4), comprising: an input unit adapted to input data (inherently reads in the data input to

the computer 1, such as a keyboard or network interface to receive data from any device within

the network); a storage unit (12) adapted to store data the data inputted (e.g. col. 5, lines 6-10);

an identification unit adapted to obtain user information about a user for whom the data inputted

by said (reads on figs. 2-4); a transfer unit (e.g. col. 1, lines 45-49, and claim 1) adapted to

transfer the data inputted by said input unit to a terminal (20a or 2, 5 or 7) connected to the LAN

(e.g. reads on fig. 75 and 76, and col. 30, lines 48-67), when it is impossible to store data

inputted by the input unit in the storage unit (reads on col. 10, lines 18-33 and col. 17, lines 29-35); and a generation unit (13, generates a message of completion or abnormal condition, see abstract) adapted to generate a predetermined notification, based on the user information obtained by the identification unit, to notify the user that the data has been transferred by said transfer unit, the notification including information indicating the terminal to which the data is transferred by the transfer unit (reads on the abstract, and figs. 1,5,7, and 9 which describes how a data processing apparatus has connection to different terminal and can communicate with these terminal connected within the LAN, and figs. depict how the user is inform that the data has been transferred to another terminal, and a sending unit (11), adapted to send the predetermined notification generated by said generation unit to the user corresponding to the user information obtained by said identification unit as mail (reads on abstract and figs. 1,5,7, and 9, which depicts how the user gets notify by receiving an email).

With regard to claim 24, Hirosawa et al. further teaches a storage unit adapted to store information used to discriminate to which terminal the data is transferred by said transfer unit (reads on abstract and figs. 1,5,7, and 9, and col. 10, lines 18-33 and col. 17, lines 29-35).

With regard to claim 25, Hirosawa et al. further teaches the transfer unit transfers the data inputted by said input unit when a printer (18a) for printing the data is in an error state (reads on fig. 1 and col. 10, lines 18-33 and col. 17, lines 29-35).

With regard to claim 26, the limitations of claim 26 are covered by the limitations of the claims 23-25 above, which teach the means and the steps to produce the limitations of claim 26.

With regard to claims 28-30 and 34, the limitations of claims 28-30 and 34 are covered by the

limitations of the claims 23-25 above, which teach the means and the steps to produce the

limitations of claim 26, and Hirosawa et al. further teaches a receiver, adapted to receive data

through a communication line from a sender (inherently reads on fig. 1, line 27, which allow the

computer to receive data from a sender 5-7, using the LAN 4, the predetermined condition reads

on the condition when it is impossible to store data inputted by the input unit in the storage unit).

With regard to claims 31-32, Hirosawa et al. further inherently teaches the transfer of data in

accordance with an internet protocol and/or TCP/IP protocol (e.g. col. 3,lines 19-50, the TSS line

is well known to use internet protocol as TCP/IP).

With regard to claim 33, Hirosawa et al. further teaches said transfer unit selects the data to be

transferred in accordance with a priority (e.g. col. 5, lines 19-41).

Conclusion

3.   Applicant's arguments with respect to pending claims are not found to be persuasive.

With regard to Applicant's argument that Hirosawa et al. does not teach or suggest transferring

the inputted data by the input unit to a terminal connected to the LAN through the LAN when it

is impossible to store the data inputted by the input unit in the storage unit. Examiner disagrees

with Applicant's conclusions. Examiner asserts that Hirosawa et al. does teach transferring the

inputted data by the input unit to a terminal connected to the LAN through the LAN (e.g.

depicted by fig. 1, depicts how a job (12) stored in a computer can be transfer to electronic mail

system (20 or terminal (5) connected to the LAN (4) through the LAN, (see also claim 1, which

describes the transfer of data) when it is impossible to store the data inputted by the input unit in

the storage unit (reads on col. 10, lines 18-33, which describes how an abnormal condition such

as exceeding capacity or over memory, and col. 17, lines 29-35, describes how data is transferred

based on an output designation, col. 6, lines 29-50 describe how a job is designated as abnormal

based on the detected condition).

 With regard to Applicant's argument that Hirosawa et al. does not teach or suggest the

generating unit of claim 23. Examiner disagrees with Applicant's conclusions. Examiner asserts

that Hirosawa et al. does teach the generating unit that generates a notification to the user as

conditions change such as job completion or abnormal condition such as exceeding capacity or

over memory (see abstract, and col. 10, lines 18-33 and claim 1).

4.   Any inquiry concerning this communication or earlier communications from the
examiner should be directed to Gabriel I. Garcia whose telephone number is (571) 272-7434.
The Examiner can normally be reached Monday-Thursday from 7:30 AM-6:00 PM. The central
fax phone number for this group is 571-273-8300.

> CENTRALIZED DELIVERY POLICY: For patent related correspondence,
> hand carry deliveries must be made to the Customer Service Window (now
> located at the Randolph Building, 401 Dulany Street, Alexandria, VA 22314),
> and facsimile transmissions must be sent to the Central FAX number, unless an
> exception applies. For example, if the examiner has rejected claims in a regular
> U.S. patent application, and the reply to the examiner's Office action is desired
> to be transmitted by facsimile rather than mailed, the reply must be sent to the
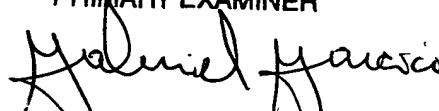> Central FAX Number.

     Any inquiry of a general nature or relating to the status of this application should be

directed to the Group receptionist whose telephone number is (571) 272-2600.

Gabriel I. Garcia
May 1, 2006

GABRIEL GARCIA
PRIMARY EXAMINER

Gabriel I. Garcia
Primary Examiner
Art Unit 2625